

U.S. DEPARTMENT OF LABOR

SECRETARY OF LABOR
WASHINGTON, D.C.

DATE: July 21, 1993
CASE NO. **90-JTP-17**

IN THE MATTER OF
PHOENIX INDIAN CENTER INC.,
COMPLAINANT,
v.
U.S. DEPARTMENT OF LABOR,
RESPONDENT.

BEFORE: THE SECRETARY OF LABOR

ORDER ASSERTING JURISDICTION AND REMAND

Upon consideration of the motion by counsel for Phoenix Indian Center Inc. (Phoenix) dated June 16, 1993, and pursuant to Section 166 of the Job Training Partnership Act, 29 U.S.C.

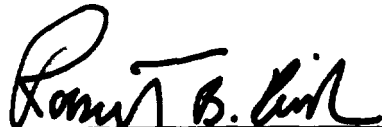
§§ 1501, 1576 (1988), it is ORDERED that--

1. Jurisdiction is asserted in this case and the decision of the Administrative Law Judge (ALJ) dated April 7, 1993, is STAYED pending further proceedings in this matter: and that

2. It is Ordered that this case be REMANDED to the Office of Administrative Law Judges for such further proceedings as are appropriate. Specifically, it is further Ordered that the presiding ALJ address the issue of material fact asserted by Phoenix that the Order to Show Cause issued on November 24, 1992, had been

sent to a former address and was not received by Phoenix; that Phoenix did not receive notice of the entry of default dated April 7, 1993, until May, 1993: that the Department of Labor was aware of Phoenix's change of address prior to its last move: and other such matters of fact and law which may be pertinent to the resolution of this case.

SO ORDERED.


Secretary of Labor

Washington, D.C.

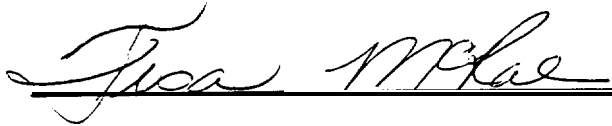
CERTIFICATE OF SERVICE

Case Name: Phoenix Indian Center Inc. v. U.S. Department
of Labor

Case No. : 90-JTP-17

Document : Order Asserting Jurisdiction and Remand

A copy of the above-referenced document was sent to the following
persons on JUL 21 1993.



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